

RESOLUTION NO. 67-01/02

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, PALM BEACH COUNTY, FLORIDA, OPPOSING A PROPOSED RULE BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT IMPLEMENTING A MINIMUM FLOW LEVEL OF 35 CFS FOR THE LOXAHATCHEE RIVER IN THE ABSENCE OF INCLUSION OF SEASONAL FLOW VARIATIONS, AND REQUESTING ADDITIONAL STEPS BE TAKEN TO ASSURE THAT RULES AFFECTING FLOWS TO THE LOXAHATCHEE RIVER INCLUDE SEASONAL FLOWS IN EXCESS OF 35 CFS PRIOR TO THE ADOPTION OF MINIMUM FLOW.

Whereas, South Florida Water Management District (SFWMD, the "District") is proposing to establish a Rule to establish Minimum Flow Level of 35 cfs (cubic feet per second) for the Loxahatchee River (the "River"); and

Whereas, a minimum flow of 35 cfs will only address minimum flows, in the event of drought conditions and does not address, nor assure season high level flows in excess of said amount continuing to flow to the River; and

Whereas, the River has historically received flows in excess of 35 cfs, and is dependent upon seasonal flows in excess of such amount to remain viable, healthy, and productive; and

Whereas, the River is one of the most valuable resources to the Village, enhancing our recreational lifestyle, our property values, and our sense of environmental awareness; and

Whereas, the SFWMD is failing to address Florida Statutes (FS) 373.042, which mandates the District to use best available information, inclusive of a seasonal variation, if appropriate, to the detriment of the River,

Now, Therefore it is hereby Resolved, that the Village of Tequesta opposes the implementation of said proposed Rule implementing a minimum flow level of 35 cfs, in the absence of inclusion of seasonal flow variations, and

Be it Further Resolved, that the Village hereby requests that additional steps be taken to assure that the Rules affecting flows to the River include seasonal flows in excess of 35 cfs prior to the adoption of minimum flow levels.

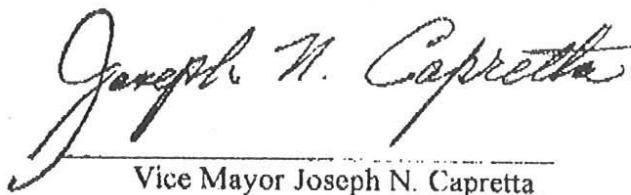
THE FOREGOING RESOLUTION WAS OFFERED by Councilmember von Frank, who moved its adoption. The motion was seconded by Councilmember Resnik, and upon being put to vote, the vote was as follows:

FOR ADOPTION

AGAINST ADOPTION

**Joseph N. Capretta
Russell J. von Frank
Edward D. Resnik**

The Vice Mayor thereupon declared the Resolution duly passed and adopted this 8th day of August, 2002.


Vice Mayor Joseph N. Capretta

ATTEST


Acting Village Clerk
Betty Laur

Loxahatchee River Management Coordinating Council
July 29, 2002 Meeting
Council Member Attendance and Voting in Support of Resolution 02-02

| <u>Member</u> | <u>Affiliation</u> |
|---------------------------|-------------------------------------|
| Linda McCarthy | Florida DACS |
| David Clark | City of Palm Bch. Gardens |
| David Brown | Town of Jupiter |
| Rick Dent | Lox. River Env. Control Dist. |
| Gale English | So. Indian River WCD |
| Geraldine Genco | Village of Tequesta |
| Janet Gettig | Martin County Conservation Rep. |
| Anthony Gravett | Landowner Representative |
| Tom Howard | Jupiter Inlet District |
| Marge Ketter | Florida DEP at-large |
| Richard Brust | Florida Fish & Wildlife Con. Comm. |
| Peter Merritt | Treasure Coast Reg. Planning Counc. |
| Jim Ostrander | River User Group |
| Commissioner Karen Marcus | Palm Beach County |
| Herb Zebuth | Florida DEP |